

# City of Northampton

## MASSACHUSETTS

*In City Council, January 19, 2017*

*Upon the recommendation of Councilor Alisa Klein and Councilor Maureen Carney*

17.235

An Order

Wage compliance certificates in License

*Ordered, that*

WHEREAS, the practice commonly known as "wage theft" – improperly withholding payment from employees and failing to pay them according to required schedules – harms the well-being of employees, their families, and their communities; and

WHEREAS, low income, immigrant, and limited English proficient workers are most vulnerable to this practice; and

WHEREAS, workers in the hospitality service industry are also vulnerable to this practice; and

WHEREAS, the high cost of wage theft to the City, its business community, and its residents impedes the City's economic development and growth; and

WHEREAS, the City desires to ensure that potential and current recipients of licenses issued under G.L. chapter 140 comply with applicable wage laws;

NOW, THEREFORE, pursuant to the authority vested in the City Council of the City of Northampton by St. 2012, c. 277, Art. 2, and every other power hereto enabling, the City Council hereby orders and directs as follows:

### WAGE COMPLIANCE CERTIFICATES IN LICENSES

The Northampton City Council, in issuing licenses under G.L. c. 140, may consider whether a

potential or current licensee has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act in determining whether to issue, re-issue, modify, suspend or revoke a license. The City Council may require a wage bond or insurance be posted by any potential licensee who has been subject to a federal or state criminal or civil judgment, administrative citation, order or final administrative determination resulting from a violation of G.L. c. 149, c. 151, or the Fair Labor Standards Act. Licensees that are subject to a state or federal debarment for violation of the above laws, either voluntarily or involuntarily, or that have been prohibited from contracting with the Commonwealth or any of its agencies or subdivisions shall be prohibited from holding, or continuing to hold, licenses issued under G.L. c. 140, for the entire period of debarment or other stated time period.